

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Miguel Angel Velez
(year of birth 1980)

Case No. 24-MJ-453 KK

Defendant(s)



CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 4, 2024 to March 23, 2024 in the county of Bernalillo in the
 District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 875(c)	Threatening Communications
18 U.S.C. § 2261A	Stalking

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

FBI Supervisory Special Agent Bryce Oleski
Printed name and title

Telephonically sworn and electronically signed.

Date: March 26, 2024


Judge's signature

City and state: Albuquerque, New Mexico

Hon. Kirtan Khalsa, U.S. Magistrate Judge
Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL ANGEL VELEZ,

Defendant.

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Bryce Oleski, being first duly sworn, hereby affirm and state:

INTRODUCTION

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since 2017. I have investigated white collar crime, cybercrime, and violent crime specifically violations which involve an imminent threat to life. I have been assigned to the Albuquerque Division since 2022, where I have conducted investigations into cyberstalking and imminent violent threats involving an interstate nexus. My duties include, but are not limited to, the investigation and enforcement of criminal violations related to cyberstalking and threats made via interstate communication in violation of 18 U.S.C. § 875(c) and 18 U.S.C. § 2261A. I am a federal law enforcement officer who is engaged in enforcing criminal laws, including 18 U.S.C. § 875(c) Interstate Threats, and 18 U.S.C. § 2261A, Cyberstalking. I am assigned to the FBI's investigation of MIGUEL ANGEL VELEZ (hereinafter "Velez") which concerns cyberstalking and/or threats

he made to the victims, Jane Doe 1 (DOE1)¹, Jane Doe 2 (DOE2), John Doe 3 (DOE3) and John Doe 4 (DOE4).

2. This affidavit is submitted for the limited purpose of establishing probable cause for the requested arrest warrant. The facts in this affidavit are based on my investigation, personal observations, training, and experience, as well as information provided to me by other law enforcement personnel. Because this affidavit is limited in purpose, I am not including all facts known to law enforcement concerning this investigation.

RELEVANT STATUTE

3. This investigation concerns alleged threats of violence that were made to multiple people, identified as DOE1, DOE2, DOE3, and DOE4, in violation of the following:

- a. Title 18 U.S.C. § 875(c), Threats- whoever transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another, shall be fined under this title or imprisoned not more than five years, or both.
- b. Title 18 U.S.C. § 2261A – Stalking. Whoever: “(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—
 - (A) places that person in reasonable fear of the death of or serious bodily injury to a person... or (the person, an immediate family member of that person, a spouse or intimate partner);
 - (B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to the person, an immediate family member of that person, a spouse or intimate partner....”

¹ The victims’ full names and identities are known to law enforcement but anonymized here in order to protect the ongoing investigation as well as to ensure the victims’ safety.

STATEMENT OF FACTS SUPPORTING PROBABLE CAUSE

4. On March 23, 2024, Meta Platforms reported to the FBI that on March 23, 2024, at 21:49 UTC (3:39 PM MST), Facebook user “Miguel Velez” posted a status stating, “Taking a drive to Rio rancho.if anyone has [DOE1] on Facebook tell it’s her last night I’m coming for her. I’m going to cut her gas line and ignite it I’m going to blow her house up then I will cut her throat.”²

5. Meta Platforms provided subscriber information for the account holder which included the email address miguelvalez5215@gmail.com and the verified cell phone number 505-305-8090. As described in more detail below, the verified phone number and the “Miguel Velez” Facebook account were confirmed as belonging to Velez through victim interviews.

6. Meta Platforms identified the last connected Internet Protocol (IP) addresses for the Facebook account in the name of Miguel Velez to be 73.26.142.145 and 2601:8c0:181:6660:8aa2:60c: db7:3db3. On March 23, 2024, the Facebook account was accessed by IP address 73.26.142.145 at 23:28 UTC (05:28PM), and at IP 2601:8c0:181:6660:8aa2:60c: db7:3db3 at 23:29:14 UTC (5:29:14PM).

7. Search results for both IP addresses indicated the IP addresses belonged to an account held with the Internet service provider Comcast Cable Communications with an account located in Albuquerque, New Mexico. An exigent service request to Comcast Cable Communications provided that the IP addresses were accessed by an account with the following subscriber information:

Name: Maria Vera
Address: 1500 Locura Rd SW, Albuquerque, NM 87121

² Here and throughout, messages in quotes or attributed to Velez are repeated verbatim.

Jane Doe 1 (DOE1)

8. On March 23, 2024, an interview was conducted of DOE 1. DOE1 provided that Velez used the phone number 505-305-8090 and was living with his mother, “Maria,” at 1500 Locura Rd SW, Albuquerque, New Mexico 87121. DOE1 also reported she previously corresponded with Velez through the “Miguel Velez” Facebook account that posted the threatening message on March 23, 2024. Therefore, DOE1 corroborated the subscriber information provided by Meta Platforms and confirmed that both the phone number and account belonged to Velez.

9. DOE1 stated that Velez had previously been hospitalized on two occasions for suicidal ideation. Beginning on or about March 5, 2024, Velez sent text messages to DOE1 of a threatening nature. The messages were sent from his phone number, 505-305-8090 which DOE1 had previously used to communicate Velez. DOE1 provided evidence of the messages which included, but was not limited to, the following verbiage from Velez:

- I am going to kill you when I get out
- You better watch your back I know where you work and where you live
- I hope you die because if you don't I will kill you myself
- I am going to slash all your tires
- I hope you die
- You think I don't have a plan. I am coming after you in the middle of the night.
- I am going to kill you
- Going to chop you up spread your body all over the mesa
- Your gonna meet your stepfather
- If I see [DOE4] car near my house I promise you that he will die as well

- I am going to use my machete on you
- Going to chop you up spread your body all over the mesa (2)

10. DOE1 indicated that her stepfather was deceased. Further, DOE1 stated that Velez had access to a vehicle, a 9mm Highpoint handgun, and knew where DOE1 lived and worked.

11. DOE1 did not respond to the messages and blocked Velez's phone number. After DOE1 blocked Velez's phone number and social media accounts, DOES 2-4 began to receive messages from Velez.

Jane Doe 2 (DOE2)

12. DOE2 was interviewed by law enforcement and reported receiving voluminous messages from March 4, 2024, to March 23, 2024, from the "Miguel Velez" Facebook account she previously knew to belong to Velez. Many of the messages were of a threatening nature, to include the following:

- You guys are ready and I hope you guys have enough SWAT
- I was given the option to leave Wisconsin or face 63 years behind bars for attempt murder
- I will use my fist again
- I have nothing to live for.
- I am already dying
- They found a medium tumor on my left side brain
- So I will go out with a bang
- So you can let [DOE1] know I'm coming for her
- And [DOE3] and you

- I am going to burn all your cars and the house
- While you guys sleep
- [DOE1] unknowingly opened Pandora box. Now she's going to pay with her life and anyone who gets in my way will pay with their lives as well
- Why do you think [DOE1] took out the restraining order
- But that won't stop me
- When everything is said and done I kill myself
- Now I am coming after her
- Now you are gonna pay with your life
- I am coming for [DOE1] and you guy and hell is coming with me. I hope you guys are ready and I hope you guys have enough swat
- I will just cut your throat
- Let you bleed out slowly
- You think a paper can stop me
- I did 2 years in Wisconsin. Did 5 years on probation with ankle monitor and video monitor
- For attempt murder with my fist
- It took 2 swat team to take me down
- Looking forward to this one
- I after everything I will kill everyone
- [DOE1] is in the room with [DOE3]
- I am going to kill him
- I know when you go to work

- You are an easy target
- This is why I am killing everyone
- I after everything I will kill everyone.
- Stupid bitch I am going to have fun hunting you guys down
- I am different vehicle so you guys won't see it coming. I have my gun and an knife ready
- Remember I don't sleep. So I can come in the middle of the night and do major damage. I know every weak point in that house I know what will set that house on fire real quick won't take much.
- I am coming for [DOE1]. Promise. I will kill you and her and everyone else no restraining order can stop me. Promise you that.
- I am 2 miles away
- I am going to kill you and [DOE1] and everyone else
- I know what time she gets off work and know how to disguise myself
- Leave no evidence
- No fingerprint
- Smash her face into the windows of her car until her skull is crushed
- Do the same thing to you
- I am coming after her
- She fucked with the wrong person
- No restraining order can stop me
- And I have an AK 47
- I have my gun

- Scoping you guys out
- I have people watching you
- You [DOE4] and [DOE1] are dead. I went to the hood and bough a burner gun.. I have been watching the house and I have people watching the house and your work. I have a different vehicle and no it's not my mothers vehicle. I am going to do a triple 187. Then suicide by cop bitch.

John Doe 3

13. DOE3 resides in the state of Florida. During an interview with law enforcement, DOE3 stated he had never met Velez, but Velez believed DOE3 had a romantic affair with DOE1. On or about March 21, 2024, DOE3 received threatening messages from the "Miguel Velez" Facebook account, to include but not limited to the following:

- I am going to rip your fucking heart out
- I can follow you guys all day. And you guys wont know. I will kill you guy
- I am at her job right now
- Sitting in the parking lot

14. On or about March 23, 2024, DOE3 received the following messages from the "Miguel Velez" Facebook account:

- I'm going to kill you [DOE1] her mom and her entire family
- If [DOE1] gets pregnant I will make sure I will kill The baby
- I knock her to the ground and kick her several times in the stomach
- Make sure she bleeds
- Or better yet stab her in the stomach so deep that way she can never have kids

John Doe 4

15. On or about March 22, 2024, DOE4 received multiple threatening messages from the “Miguel Velez” Facebook account, which he knew to belong to Velez. The messages included the following:

- Tell [DOE1] I am have a different vehicle. I am on the streets. I will kill you \ [DOE2] [DOE3] [DOE1.] I also bought a burner gun from the hood. I actually at her job right now
- I am going to kill everyone
- I am going to kill everyone. I swear to God on my kids.
- All you bitches are going to die. Fuck what the court says. I have been to Jail for attempted murder which is sealed and can’t be opened without a federal judge. I am not scared. Y’all should be scared because it took 3 swat teams to Take me down.
- Made several phone calls to Chicago. Y’all dead.i have people looking for [DOE1] family in California, Florida, here grandma father step son. y’all fucked up I was a high ranking ex gang member in the organization of insane Gansta Disciples in Chicago.
- Y’all Dead.

16. Through this investigation, I learned that Velez is also the subject of a non-extraditable warrant for harassing communications involving a case in Texas in which he harassed is a family member telephonically.

17. Meta Platforms is headquartered in California. Although Meta utilizes some servers within the District of New Mexico, sending communications through Meta requires use

of a device as well as the Internet or cellular network. No electronic devices capable of sending these types of communications is manufactured in the District of New Mexico. Additionally, some of the communications referenced in this complaint affidavit traveled from New Mexico to Florida, in the case of DOE 3. As such, I believe the interstate commerce element is satisfied for offenses under 18 U.S.C. § 875(c) and 18 U.S.C. § 2261A.

18. In summary, I have probable cause to believe that Velez used the “Miguel Velez” Facebook account, as well as the text message feature on a mobile device associated with call number 505-305-8090, to send threatening messages to DOES1-4. Velez is the known user of the Facebook account, based on statements from DOE1-4. Additionally, the Facebook post made on March 23, 2024, at 3:39 PM MST, was made within two hours of an IP address provided by Meta Platforms resolving to Velez’s mother’s residence. Finally, the phone number used to text threats to DOE1 is Velez’s known number, as well as the verified phone number associated with the Facebook account.

CONCLUSION

19. Based on the information set forth above, I submit there is probable cause to support that, within the District of New Mexico, Miguel Angel Velez threatened and harassed DOE1, DOE2, DOE3, and DOE4, placing them in fear of grievous bodily harm, in violation of 18 U.S.C. § 875(c). Further, the messages amount to stalking in violation of 18 U.S.C. § 2261A(2)(A) and (B), in that Velez acted with the intent to kill, injure, harass, intimidate, or place under surveillance for the same purpose, and such conduct placed the victims in fear of death or serious bodily injury, or would reasonably be expected to cause substantial emotional distress.

20. Assistant United States Attorney Sarah Mease has reviewed and approved this application.

21. I swear that this information is true and correct to the best of my knowledge.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Bryce Oleski", is written over a horizontal line.

Bryce Oleski
Supervisory Special Agent
Federal Bureau of Investigation

Subscribed electronically and sworn to me telephonically on

March 26, 2024:

A handwritten signature in dark ink, appearing to read "Kirtan Khalsa", is written over a horizontal line.

HONORABLE KIRTAN KHALSA
United States Magistrate Judge